



# The British Columbia Gazette.

PUBLISHED BY AUTHORITY.

Vol. XIV.]

VICTORIA, OCTOBER 31ST, 1874.

[No. 44.]

## Table of Contents.

Government Notices.	PAGE.
PROVINCIAL SECRETARY'S DEPARTMENT.	
Appointment of A. T. D. McElmen, a Notary Public.....	255
Courts (Colonial) Jurisdiction Act.....	258
Cruelty to Animals Act.....	257
Notice of Court of Assize at Nanaimo and Victoria.....	259
Report of Texada Royal Commission.....	259
Treaty between Her Majesty and the King of the Netherlands for the surrender of Fugitive Criminals.....	256
An Act to amend "The Colonial Attornies Relief Act".....	255
LANDS AND WORKS DEPARTMENT.	
Notice respecting the subdivision of Townships 1 and 2	
New Westminster District.....	261
Inviting Tenders for Section A, New Westminster-Hope Rd.....	260
Do. Quesnelle River Bridge.....	260
Do. Repairs to Esquimalt Road.....	260
Do. for supplying Coal and Wood.....	260
Thompson Bridge Tolls.....	259
Notice respecting subdivision of lands in New Westr. Dist.....	259
LEGISLATIVE ASSEMBLY.	
Private Bills.....	261
Proclamations.	
Proroguing Legislative Assembly.....	255
Assenting to "Land Act, 1874".....	258
Miscellaneous Notices.	
Bankruptcy Notice—William Forrest.....	262
Estate of James C. Hoagland, deceased.....	262
Estate of Allen D. Grant, deceased.....	262
Estate of John S. Trook, deceased.....	262
Intended application for an "Act to Incorporate the British Columbia Protestant Orphans' Home Association".....	261
Intended application for a Crown Grant by the "Victoria Silver Mining Company (Limited)".....	262
Laying over Claims in Cassiar District.....	262
Laying over Claims at Cariboo.....	260
Notice of intended application for Private Bill by Victoria Water Works Co.....	261
Notice of intended application for Private Bill by Williams Creek Bed-Rock Flume Co.....	261
Names of Councillors, Maple Ridge Municipality.....	261

## Appointment.

PROVINCIAL SECRETARY'S OFFICE,  
30th October, 1874.

HIS EXCELLENCY the Lieutenant-Governor has been pleased to appoint ALBERT THEOPHILUS DES BRISAY McELMEN, Esquire, to be a Notary Public.

## Proclamations.

[L. S.] JOSEPH W. TRUTCH.  
CANADA.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To Our faithful the Members elected to serve in the Legislative Assembly of Our Province of British Columbia, and summoned and called to a meeting of the Legislature or Parliament of Our said Province, at Our City of Victoria, on Thursday, the Twelfth day of November, next, to have been commenced and held, and every of you—GREETING.

A PROCLAMATION.

GEO. A. WALKER, } WHEREAS the meeting of the  
Attorney-General, } Legislature or Parliament  
of the Province of British Columbia, stands called for  
Thursday, the Twelfth day of November next, at  
which time at Our City of Victoria, you were held and  
constrained to appear.

NOW KNOW YE that for divers causes and considerations, and taking into consideration the ease

and convenience of Our loving subjects, We have thought fit, by and with the advice of Our Executive Council of the Province of British Columbia, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on Thursday, the Tenth day of the Month of December, you meet Us in Our said Legislature or Parliament, of Our said Province, at Our City of Victoria, and therein to do as may seem necessary. Herein fail not.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of the said Province to be hereunto affixed: WITNESS, the Honorable JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this Twenty-fourth day of October, in the year of Our Lord One thousand eight hundred and seventy-four, and in the thirty-eighth year Our Reign.

By Command.

HENRY S. MASON,  
Deputy Registrar Supreme Court.

## CIRCULAR.

DOWNING STREET,  
20th August, 1874.

SIR,—I have the honor to transmit to you, for your information, and for publication in the Colony under your Government, the enclosed copies of the Act 37 and 38 Vic., c. 41, passed in the last Session of Parliament, entitled "An Act to amend the Colonial Attornies Relief Act." I have, &c.,

CARNARVON.

The Officer Administering  
the Government of Canada.

## CHAPTER 41.

An Act to amend "The Colonial Attornies Relief Act."

[30th July, 1874.]

WHEREAS by the Colonial Attornies Relief Act, certain provisions are made for regulating the admission of Attornies and Solicitors of Colonial Courts in Her Majesty's Superior Courts of Law and Equity in England in certain cases, and it is considered just and equitable to amend the said Act:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. So much of the Colonial Attornies Relief Act as enacts that no person shall be deemed qualified to be admitted as Attorney or Solicitor under the provisions of the said Act, unless he shall pass an examination to test his fitness and capacity, and shall further make affidavit that he has ceased, for the space of twelve calendar months at the least, to practise as Attorney or Solicitor in any Colonial Court of Law, and also so much of the said Act and of any Orders and Regulations made thereunder as relates to such examination, shall not apply to nor shall compliance therewith respectively be required of any person seeking to be admitted as Attorney or Solicitor under the provisions of the said Act who shall have been in actual practice for the period of seven years at the



least as Attorney or Solicitor in any Colony or Dependency as to which an Order in Council has been, or may be, made as mentioned in the said Act, and who shall have served under articles and passed an examination previously to his admission as Attorney and Solicitor in any such Colony or Dependency.

2. The expression "The Colonial Attornies Relief Act," shall henceforth be deemed to include this Act.

#### CIRCULAR.

DOWNING STREET,  
13th August, 1874.

SIR,—I have the honor to transmit to you, for publication in the Colony under your Government, a copy of a Treaty between Her Majesty and the King of the Netherlands for the mutual surrender of Fugitive Criminals, as well as a copy of the Order in Council of the 6th instant for carrying into effect that Treaty.

I have, &c.,

CARNARVON.

*The Officer Administering  
the Government of Canada.*

At the Court at *Osborne House, Isle of Wight*,  
the 6th day of August, 1874.

PRESENT:

The QUEEN'S Most Excellent Majesty in Council.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-third and thirty-fourth years of the Reign of Her present Majesty, intituled "An Act for amending the Law relating to the Extradition of Criminals," it was amongst other things enacted, that where an arrangement has been made with any Foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such Foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's Dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the nineteenth day of June, last, between Her Majesty and the King of the Netherlands, for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, having judged it expedient, with a view to the better administration of justice and to the prevention of crime between the two Countries, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honorable Sir Edward Alfred John Harris, a Vice-Admiral in Her Majesty's Royal Navy, Knight Commander of the Most Honorable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands;

And His Majesty the King of the Netherlands, M. Joseph Lodewyck Hendrik Alfred Baron Gerick van Herwynen, Commander of the Order of the Netherland Lion, Knight Grand Cross of the Oaken Crown of Luxemburg, &c., &c., His Majesty's Minister for Foreign Affairs; and M. Gerrit de Vries, Commander of the Order of the Netherland Lion, His Majesty's Minister of Justice.

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:—

#### ARTICLE I.

It is agreed that Her Britannic Majesty and His Majesty the King of the Netherlands shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally, any persons who, being accused or convicted of any of the crimes hereinafter specified, committed within the jurisdiction of the requiring party, shall be found within the territories of the other party.

#### ARTICLE II.

The crimes for which the extradition is to be granted are the following:—

1. Murder (including assassination, parricide, infanticide, and poisoning), or attempt to murder.

2. Manslaughter.

3. Counterfeiting or altering money, or uttering counterfeit or altered money.

4. Forgery, counterfeiting, or altering of public or private documents, including forgery, counterfeiting, or altering of paper money, bank notes, or other public securities.

5. Embezzlement or larceny, comprehending any larceny that by the Netherland Penal Law is not considered as "vol simple."

6. Obtaining money or goods by false pretences, including the crimes designated in the Netherland Penal Law as peculation, abstraction, or misapplication by bailees or public accountants.

7. Crimes against Bankruptcy Law which by the Netherland Penal Law are considered as fraudulent bankruptcy.

8. Perjury.

9. Rape.

10. Arson.

The extradition is also to take place for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the contracting parties.

#### ARTICLE III.

No subject of the Netherlands shall be given up by the Government of the Netherlands to the Government of the United Kingdom; and no subject of the United Kingdom shall be delivered up by the Government thereof to the Government of the Netherlands.

With reference to the application to the present Treaty, are comprised in the denomination of "subjects," not only naturalized citizens of the country, but also such foreigners, as according to the laws of either of the contracting parties, are assimilated to subjects, as well as such foreigners, who being domiciled in the country, and having married a citizen thereof, have one or more children by that marriage born there.

#### ARTICLE IV.

The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of the Netherlands, has already been tried and discharged or punished, or is still under trial, in the Netherlands or in the United Kingdom, respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of the Netherlands, should be under examination for any other crime in the Netherlands or in the United Kingdom, respectively, his extradition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

The extradition shall also be deferred if the person claimed should be detained for debt by a sentence passed before the requisition for the surrender, under the laws of the country where he shall be found.

#### ARTICLE V.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

#### ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he proves that the requisition for his surrender has in fact been made with a view to try or to punish him for an offence of a political character.

#### ARTICLE VII.

A person surrendered can, in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place, until he has been restored or has had the opportunity of returning to the country from whence he has surrendered.

The period of one month shall be considered as the limit of the period during which the prisoner may, with a view of securing the benefits of this Article, return to the country from whence he was surrendered.

This stipulation does not apply to crimes committed after the extradition.

#### ARTICLE VIII.

The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties, respectively.



The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded on sentences passed *in contumaciam*.

#### ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent Magistrate, who is to examine him and to conduct the preliminary investigation of the case, according to the laws of the country in which he is found.

#### ARTICLE X.

The extradition shall not take place before the expiration of fifteen days from the committal, and then only if the evidence produced in due time be found sufficient according to the laws of the State applied to.

#### ARTICLE XI.

A fugitive criminal may, however, be apprehended under a warrant issued by any Police Magistrate, Justice of the Peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant, if the crime had been committed or the prisoner convicted, in that part of the dominions of the two contracting Parties in which he exercises jurisdiction: Provided however that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a Police Magistrate in London. He shall be discharged as well in the United Kingdom as in the Netherlands, if, within fourteen days, a requisition shall not have been made for his surrender by the Diplomatic Agent of his country.

#### ARTICLE XII.

If, in any criminal matter, pending in any Court or Tribunal of one of the two countries, it is thought desirable to take the evidence of any witness in the other, such evidence may be taken by the judicial authorities in accordance with the laws in force on this subject in the country where the witness may be.

#### ARTICLE XIII.

All articles seized, which were in the possession of the person to be surrendered at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place; and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

#### ARTICLE XIV.

The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered, and his conveyance till placed on board ship, as well as for the reimbursement of the expenses incurred in taking the evidence of any witness in consequence of Article XII, and in giving up and returning seized articles. They reciprocally agree to bear such expenses themselves.

#### ARTICLE XV.

The present Treaty shall come into force ten days after its publication in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for six months after notice has been given for its termination.

The Treaty shall be ratified, and the ratifications shall be exchanged at the Hague as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at the Hague, the nineteenth day of June, in the year of our Lord One thousand eight hundred and seventy-four.

[L.S.] E. A. J. HARRIS,  
[L.S.] L. GERICKE,  
[L.S.] DEVRIES.

And whereas the ratifications of the said Treaty were exchanged at The Hague on the twenty-first day of July, last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the seventeenth day of August, One thousand eight hundred and seventy-four, the said Act shall apply in the case of the said Treaty with the King of the Netherlands.

(Signed) ARTHUR HELPS.

### NOTICE.

ON and after the 1st day of January, 1875, the Law of Canada, respecting Cruelty to Animals, will come into operation in this Province, and the same is hereby published for general information.

JOHN ASH,

*Provincial Secretary.*

*Provincial Secretary's Office,  
October 10th, 1874.*

### 32 & 33 Vic., Cap. 27.

#### An Act respecting Cruelty to Animals.

WHEREAS it is expedient that provision should be made, extending to all Canada, for the punishment of Cruelty to Animals: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Whosoever, wantonly, cruelly, or unnecessarily, beats, binds, illtreats, abuses or tortures any Horse, Mare, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mule, Ass, Sheep, Lamb, Pig, or other Cattle, or any Poultry, or any Dog, or Domestic Animal or Bird, or whosoever driving any cattle or other animal, is, by negligence or ill-usage in the driving thereof, the means whereby any mischief, damage or injury is done by any such cattle or other animal, shall upon being convicted of any or either of the said offences before any one Justice of the Peace for the District, County or place in which the offence has been committed, for every such offence forfeit and pay (over and above the amount of the damage or injury, if any, done thereby, which damage or injury shall and may be ascertained and awarded by such Justice,) such a sum of money not exceeding ten dollars, nor less than one dollar with costs, as to such Justice seems meet.

2. The offender shall in default of payment be committed to the common gaol or other place of confinement, for the district, county, or place in which the offence was committed, there to be imprisoned for any time not exceeding thirty days.

3. Nothing in this Act contained shall prevent or abridge any remedy by action against the offender or his employer where the amount of the damage is not sought to be recovered by virtue of this Act.

4. When any offence against this Act is committed, any constable or other police officer, or the owner of any such cattle, animal, or poultry, upon view thereof, or upon the information of any other person (who shall declare his or their name or names and place or places of abode to the said constable or other peace officer) may seize and secure by the authority of this Act, and forthwith, and without any other authority or warrant, may convey any such offender before a Justice of the Peace within whose jurisdiction the offence has been committed, to be dealt with according to law.

5. If any person apprehended for having committed any offence against this Act refuses to discover his name and place of abode to the Justice of the Peace before whom he is brought, such person shall be immediately delivered over to a constable or other peace officer, and shall by him be conveyed to the common gaol or place of confinement for the district, county, or place within which the offence has been committed, or in which the offender has been apprehended, there to remain for any term not exceeding one month, or until he makes known his name and place of abode to the said Justice.

6. The prosecution of every offence punishable under this Act must be commenced within three



months next after the commission of the offence, and not otherwise.

7. Every offence against any of the sections of this Act is a misdemeanor, and may be punished as such or may be prosecuted in the manner directed by the *Act respecting the duties of Justices of the Peace out of Sessions, in relation to summary convictions and orders*, so far as no provision is hereby made for any matter or thing which may be required to be done with respect to such prosecution; and all the provisions contained in the said Act shall be applicable to such prosecutions, in the same manner as if they were incorporated in this Act.

8. All pecuniary penalties recovered before any Justice of the Peace under this Act, shall be divided, paid and distributed in the following manner, that is to say: one moiety thereof to the Corporation of the city, town, village, township, parish or place in which the offence was committed, and the other moiety, with full costs, to the person who informed and prosecuted for the same, or to such other person as to such Justice seems proper.

9. Every sum of money ascertained, and awarded, adjudged, by any Justice of the Peace under this Act to be paid as the amount of any damage or injury occasioned by the commission of any of the offences hereinbefore mentioned, shall be paid to the person who has sustained such damage or injury.

10. Where the word "cattle" is used in this Act it shall have the meaning assigned to it in the Act respecting larceny and other similar offences.

11. This Act shall commence and take effect upon, from and after the first day of January, one thousand eight hundred and seventy.

PROVINCIAL SECRETARY'S OFFICE,  
26th September, 1874.

THE Lieutenant-Governor directs the publication of the following Circular and Enclosure from the Secretary of State for the Colonies to His Excellency the Governor-General of Canada, which have been transmitted to His Excellency for publication in this Province.

By Command.

JOHN ASH,  
Provincial Secretary.

#### CIRCULAR.

DOWNING STREET,  
11th July, 1874.

SIR.—I have the honor to transmit a copy of an Act, 37 and 38 Victoria, cap 27, which has passed this Session, intitled "An Act to regulate the sentences imposed by Colonial Courts where jurisdiction to try is conferred by Imperial Acts."

2. As you are aware jurisdiction is given by certain Imperial Acts, as, for instance, 9 George 4, cap. 83, section 4, and 12 and 13 Victoria, cap. 96, to Colonial Courts to try offences committed beyond the jurisdiction of those Courts, and the persons convicted are made liable to suffer such punishment as by any law or laws in force at the time of the passing of such Acts, they would have been liable to if the offence had been committed and tried in England.

3. Difficulties have recently arisen, both in Victoria and Malta, in deciding what sentences could be passed upon persons tried and convicted in the Colonial Courts for offences committed out of the Colonies, but made triable within them by Imperial Act; and the Act now transmitted has been passed with a view to prevent any such questions arising for the future.

4. The Act provides that such punishment may be inflicted in such cases as might have been inflicted if the offences had been committed within the Colony.

5. The Act also includes cases, if any; where offences, if committed within the local jurisdiction of a Colonial Court, are by Imperial Act made punishable according to the Law of England.

6. Moreover, special provision is made at the end of the third section to meet the case of an offence not punishable by the Law of the Colony in which the trial takes place; and the Colonial Court is in such case empowered to impose such punishment (other than capital punishment) as shall seem to the Court most nearly to correspond to the punishment to which such person would have been liable in case such crime or offence had been tried in England.

7. These cases will, probably, be of rare occurrence; but it was thought desirable to embrace all possible

cases, and to make the legislation upon the subject final and complete.

8. The usual steps should be taken to make the provisions of this Act known in the Colony under your Government.

I have, etc.,  
(Signed) CARNARVON.

The Officer Administering  
the Government of Canada.

#### CHAPTER 27.

An Act to regulate the Sentences imposed by Colonial Courts where jurisdiction to try is conferred by Imperial Acts.

[30th June, 1874.]

WHEREAS by certain Acts of Parliament jurisdiction is conferred on courts in Her Majesty's Colonies to try persons charged with certain crimes or offences, and doubts have arisen as to the proper sentences to be imposed upon conviction of such persons; and it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

#### Short Title.

1. This Act may be cited for all purposes as The Courts (Colonial) Jurisdiction Act, 1874.

#### Definition of term "Colony."

2. For the purposes of this Act,—

The term "Colony" shall not include any places within the United Kingdom, the Isle of Man, or the Channel Islands, but shall include such territories as may for the time being be vested in Her Majesty by virtue of an Act of Parliament for the Government of India, and any plantation, territory, or settlement situate elsewhere within Her Majesty's dominions, and subject to the same local government; and for the purposes of this Act, all plantations, territories, and settlements under a central legislature shall be deemed to be one Colony under the same local government.

At trials in any colonial courts by virtue of Imperial Acts, courts empowered to pass sentences as if crimes had been committed in the Colony.

3. When, by virtue of any Act of Parliament now or hereafter to be passed, a person is tried in a Court of any Colony for any crime or offence committed upon the high seas or elsewhere out of the territorial limits of such Colony and of the local jurisdiction of such Court, or if committed within such local jurisdiction made punishable by that Act, such person shall, upon conviction, be liable to such punishment as might have been inflicted upon him if the crime or offence had been committed within the limits of such Colony and of the local jurisdiction of the Court, and to no other, anything in any Act to the contrary notwithstanding: Provided always, that if the crime or offence is a crime or offence not punishable by the law of the Colony in which the trial takes place, the person shall, on conviction, be liable to such punishment (other than capital punishment) as shall seem to the Court most nearly to correspond to the punishment to which such person would have been liable in case such crime or offence had been tried in England.

[L. S.] JOSEPH W. TRUTCH.

CANADA.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come,—GREETING.

#### A PROCLAMATION.

GEO. A. WALKER, WHEREAS it is provided by Attorney-General. Section 86 of the "Land Act, 1874," that the said Act shall not come into force until the Lieutenant-Governor's assent thereto, has been proclaimed by Notice in the British Columbia Gazette;



And whereas Our Lieutenant-Governor has been pleased to assent, in Our name, to the said Act.

NOW KNOW YE that in pursuance of the said proviso, We do hereby proclaim and give notice of Our Assent to the "Land Act, 1874."

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Public Seal of the said Province to be hereunto affixed: WITNESS, the Honorable JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this Sixteenth day of July, in the year of Our Lord One thousand eight hundred and seventy-four, and in the thirty-eighth year of Our Reign.

By Command.

JOHN ASH,  
*Provincial Secretary.*

## Government Notices.

### NOTICE.

A COURT of General Assize and Gaol Delivery and of Nisi Prius, will be held at Nanaimo, on Wednesday, the 11th day of November next, and at Victoria, on Monday, the 23rd day of November next, at 11 o'clock in the forenoon.

Dated, 24th of October, 1874.

By Command.

JOHN ASH,  
*Provincial Secretary.*

PROVINCIAL SECRETARY'S OFFICE,  
16th October, 1874.

THE Lieutenant-Governor in Council directs the publication of the following Report of the Royal Commission, appointed to enquire into the allegations relating to the acquisition of Texada Island.

By Command.

JOHN ASH,  
*Provincial Secretary.*

To the Honorable JOSEPH W. TRUTCH, Lieutenant-Governor of the Province of British Columbia.

The undersigned, members of the Royal Commission, appointed by Your Excellency, on the 13th day of March last, to enquire into and report upon the allegations of the Honorable Member for Nanaimo, viz: "That prominent members of the late and present Government were in a ring to acquire possession of Texada Island, in a manner prejudicial to the interests of the public:" beg, unanimously, to report that, on the 24th March, under and by virtue of such Commission, they held an open Court at the Supreme Court in the City of Victoria, for that purpose, and continued to hold such open Court, by various sittings, until the 18th day of April, when they adjourned their sittings to New Westminster, for the greater facility of obtaining evidence and continuing the investigation there.

That they held an open Court at the Court House in New Westminster, by various sittings, until the 27th day of April, when they re-adjourned to the City of Victoria, re-opened the said Court there, and continued the investigations, by various sittings, until the 6th instant.

That, at such sittings, the three Commissioners were all present, except on one occasion, viz., the 20th day of August, at Victoria, when an enquiry was held before the Honorable Messrs. Crease and Gray, as to the mode of examination, by interrogatories, of Mr. DeCosmos, a witness then absent at Ottawa, the Chief Justice on that occasion not being present, owing to his having gone to Cassiar on circuit.

That at these various sittings, of which public notice was always given in the newspapers in Victoria, the Honorable Member for Nanaimo, Mr. Robson, was always present, and was afforded every opportunity, by examination and cross-examination of the witnesses, and by suggestion and argument, to promote the enquiry and establish the charge.

That, in the course of the examination, an inquisitorial latitude was allowed, exceeding the extent of permission ever granted in Courts of Law governed by the rules of legal evidence.

That all persons who were alleged as being able to give information touching the subject of enquiry, or

whose names were suggested to the Commissioners, were subpoenaed as witnesses, and examined and cross-examined.

That all books of account, or business of the persons or firms, in which it was asserted that information could be found, were ordered to be produced, were produced and inspected.

That persons who were beyond the jurisdiction of the Province, and who, it was stated, were inculpated in the charge, or were alleged to be capable of giving information, were examined by interrogatories prepared by the Commissioners, of which copies were, before being sent, read in open Court, or otherwise submitted to the Member for Nanaimo, for any suggestions he might make, points to which he might desire the enquiry to be directed, or any particular question he might wish to put.

That all parties were invited to come forward and submit to the Commissioners any information they could give, that would aid in arriving at the truth.

That Messrs. Walkem, Beaven, DeCosmos, Robson, and the other witnesses in British Columbia were examined and cross-examined on oath; Sir John Macdonald, Dr. Tupper, and Mr. Sproat, witnesses beyond the jurisdiction of the Province, on interrogatories not under oath.

That all sources of enquiry, within their reach or under their control, having been now exhausted, and the evidence produced, duly weighed and considered, they find and report, that the truth of the allegations aforesaid, so far as the same refer to the good government of this Province, or reflect upon the conduct of any part of the public business thereof, has not been proved; and that no evidence has been produced before them to show "that prominent or any members of the late and present Government were in a 'ring' to acquire possession of Texada Island, in a manner prejudicial to the interests of the public."

And they beg further to report, that although there were circumstances apparently suspicious attending the pre-emptions in Texada Island in August, 1873, yet, in their opinion, upon a thorough examination of those circumstances, there is no sufficient ground to believe that any member of the late or present Government, either by himself, or in unlawful or dishonorable combination with any other person, has attempted to acquire possession of the whole or of any part of Texada Island, in a manner prejudicial to the interests of the public.

They submit herewith the evidence taken, the correspondence produced and passed between all parties connected with the enquiry, and the interrogatories sent to the persons abroad, with their replies.

Dated, at Victoria, B. C., this 8th October, 1874.

MATT. B. BEGBIE,  
HENRY P. PELLEW CREASE, } *Commissioners.*  
J. HAMILTON GRAY,

## PUBLIC NOTICE.

NOTICE IS HEREBY GIVEN, that in accordance with the provisions of the "Thompson Bridge Toll Act, 1864," and the "Thompson Bridge Ordinance, 1868," the moneys arising from the said Bridge and Tolls will, on and after Monday, the 28th of September, 1874, become part of the Public Revenue, and are to be accounted for as such.

ROBERT BEAVEN,

*Chief Commissioner of Lands and Works.*  
Victoria, 24th September, 1874.

## NOTICE.

TOWNSHIPS 5 AND 6, INCLUDING WESTHAM ISLAND, NEW WESTMINSTER DISTRICT.

NOTICE IS HEREBY GIVEN, in accordance with the provisions of the "Land Act, 1874," that the land included within the boundaries of Townships No. 5 and 6 and Westham Island, have been subdivided by Survey, and the Maps thereof have been deposited in the office H. V. EDMONDS, Commissioner, New Westminster.

ROBERT BEAVEN,

*Chief Commissioner of Lands & Works.*  
Lands & Works Office,  
Victoria, October 17th, 1874.



**NOTICE.**

BLOCK THREE NORTH, RANGE 6 WEST, NEW WESTMINSTER DISTRICT.

**N**OTICE IS HEREBY GIVEN, in accordance with the provisions of the "Land Act, 1874," that the following land in Block Three North, Range Six West, New Westminster District, has been subdivided by Survey, and the Map has been deposited in the office of HENRY V. EDMONDS, Commissioner, New Westminster.

Lots, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22.

ROBERT BEAVEN,  
*Chief Commissioner of Lands and Works.*  
*Lands & Works Office,*  
*Victoria, 17th October, 1874.*

**NOTICE.**

GROUP ONE, NEW WESTMINSTER DISTRICT.

**N**OTICE IS HEREBY GIVEN, in accordance with the provisions of the "Land Act, 1874," that the following land, in Group one, New Westminster District, has been subdivided by survey, and the Maps have been deposited in the Office of Henry V. Edmonds, Commissioner, New Westminster:—

On the South shore of Burrard Inlet, above the second narrows, Lots 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, and 218.

On that portion of the Inlet known as Port Moody, Lots 219, 220, 221, 225, 226, 227, 228, and Lots 231 and 232, in the vicinity of Pitt River.

ROBERT BEAVEN,  
*Chief Commissioner of Lands and Works.*  
*Lands & Works Department,*  
*Victoria, October 17th, 1874.*

**NOTICE.**

TOWNSHIP No. 4, NEW WESTMINSTER DISTRICT

**N**OTICE IS HEREBY GIVEN, in accordance with the provisions of the "Land Act, 1874," that Sections 1, 2, 3, 4, 5, 6, 12, 13, 19, 20, 21, 27, 28, and 29, Township No. 4, have been subdivided by survey, and the Map thereof has been deposited in the Office of Henry V. Edmonds, Commissioner, New Westminster.

ROBERT BEAVEN,  
*Chief Commissioner of Lands & Works.*  
*Lands & Works Department,*  
*Victoria, October 17th, 1874.*

**PUBLIC NOTICE.**

**S**EALD TENDERS, endorsed "Tender for Section A, New Westminster and Hope Waggon Road," will be received by the undersigned, up to 12 o'clock, noon, of Monday, 2nd November, next, for the construction of a piece of road from the base of the hill opposite New Westminster, to connect with Section 1, New Westminster and Hope Road, &c.

Plans and Specifications can be seen and blank forms of tender and agreement to execute bond can be obtained at the Office of the Government Agent, New Westminster, and at the Office of the Lands and Works Department, Victoria.

Each Tender must be accompanied by an agreement to execute a bond duly signed by the contractor himself and two other responsible residents of the Province, in a penal sum amounting to one-half the contract price, for the faithful completion of the work.

No Tender will be accepted unless accompanied with an agreement to execute a bond as above.

The lowest or any tender not necessarily accepted.

ROBERT BEAVEN,  
*Chief Commissioner of Lands and Works.*  
*Lands and Works Office,*  
*Victoria, 15th, October, 1874.*

**PUBLIC NOTICE.**

**S**EALD TENDERS, endorsed, "Tender for Quesnelle River Bridge," will be received by the undersigned up to 12 o'clock noon of Monday, 30th of November next, for the construction of a Bridge across the Quesnelle River.

Plans and specifications can be seen, and blank forms of tender and agreement to execute bond, can be obtained at the office of the Lands and Works Department, Victoria, and at the Town of Quesnelle.

Each Tender must be accompanied by an agreement to execute a bond, duly signed by the Contractor himself and two other responsible residents of the Province, in a penal sum amounting to one-third the contract price, for the faithful completion of the work.

No tender will be accepted unless accompanied with an agreement to execute a bond as above

The lowest or any Tender not necessarily accepted.

ROBERT BEAVEN,  
*Chief Commissioner of Lands & Works.*  
*Lands & Works Department,*  
*Victoria, October 15th, 1874.*

**NOTICE**

TO

**COAL MERCHANTS.**

**T**ENDERS will be received by the undersigned up to noon of Monday the 2nd November, next, at the Office of the Lands and Works Department, Victoria, addressed to the Chief Commissioner of Lands and Works, for supplying the following articles for the use of the Government Offices, James' Bay:—

Coal per Ton of 2,240 lbs.,  
Wood per Load, 12 inch lengths.

Service to extend for a period of six months.

The lowest or any Tender not necessarily accepted.

ROBERT BEAVEN,  
*Chief Commissioner of Lands & Works.*  
*Lands & Works Department,*  
*Victoria, October 26th, 1874.*

**PUBLIC NOTICE.**

**S**EALD TENDERS, endorsed "Tender for Repairs Esquimalt Road," will be received by the undersigned up to 12 o'clock noon, of Wednesday, 28th October, next, for the construction of certain repairs to the Esquimalt Road.

Plans and Specifications can be seen, and blank forms of tender and agreement to execute bond can be obtained, at the Office of the Lands and Works Department, Victoria.

Each Tender must be accompanied by an agreement to execute a bond, duly signed by the Contractor himself and two other responsible residents of the Province, in a penal sum amounting to one-half the contract price, for the faithful completion of the work.

No Tender will be accepted unless accompanied with an agreement to execute a bond as above.

The lowest or any Tender not necessarily accepted.

ROBERT BEAVEN,  
*Chief Commissioner of Lands & Works.*  
Per STANHOPE FARWELL,  
*Lands & Works Department,*  
*Victoria, October, 20th, 1874.*

**GOLD COMMISSIONER'S NOTICE.**

**O**N and after the 1st of November, next, all Claims in the Cariboo District, may be "laid over" till the 20th May, 1875, subject to the 9th Section of the "Gold Amendment Act, 1872."

H. M. BALL,  
*Richfield,*  
*Gold Commissioner.*  
*7th October, 1874.*



**NOTICE.**

TOWNSHIPS No. 1 AND 2, NEW WESTMINSTER DISTRICT.

NOTICE IS HEREBY GIVEN, in accordance with the provisions of the "Land Act, 1874," that the land included within the boundaries of Townships No. 1 and 2, New Westminster District, have been subdivided by survey, and the maps thereof have been deposited in the office of Henry V. Edmonds, Commissioner, New Westminster.

ROBERT BEAVEN,

*Chief Commissioner of Lands & Works.  
Lands & Works Department,  
Victoria, 3rd October, 1874.*

EXTRACT FROM "LAND ACT, 1874."

21. Where an official survey shall be made, in which shall be included the land the right to which has been acquired previous to the passing of this Act, but for which a Crown Grant has not been issued, and a map of such survey shall have been deposited in the office of the Commissioner, and notice thereof shall have been published in the British Columbia Gazette, the lawful claimant of such land shall, within three months thereafter, make and file with the Commissioner a written and dated statement, describing the land claimed and the locality of his improvements thereon, based upon the survey made, and fully describing the legal subdivision claimed, and shall also make and file with the Commissioner a declaration, in such form as may be required by the Commissioner, signed by himself and two residents in the locality of such land, or two persons acquainted with the facts; and unless two or more parties are claimants of the same land, the Commissioner shall, at the expiration of such three months, enter such land so rectified by such survey in the name of such claimant in the District Register.

22. If, within three months after the making of such survey and a deposit of the map of such survey in the office of the Commissioner, and a notice thereof published in the British Columbia Gazette, the claimant mentioned in the preceding clause shall fail to make and furnish the written and dated statement and declaration required as aforesaid; or if such declaration shall be fraudulently obtained, or if it shall contain wilfully false statements, the land so entered, with all improvements thereon, shall be forfeited to the Crown, and such settler shall have no further right therein or thereto; and the Chief Commissioner of Lands and Works may cancel the record of such land in the books of the Land Office, and the certificate given on the making of such record shall thenceforth be deemed null and void to all intents and purposes whatsoever.

**Miscellaneous Notices.****NOTICE****Private Bills.**

ALL applications for Private Bills, properly the subject of legislation by the Legislative Assembly of British Columbia, within the purview of the "British North America Act, 1867," whether for the erection of a Bridge, the making of a Railroad, Turnpike Road, or Telegraph Line; the construction or improvement of a Harbour, Canal, Lock, Dam, or Slide, or other like work; the granting of a right of Ferry; the incorporation of any particular trade or calling, or of any Joint Stock Co.; or otherwise for granting to any individual or individuals any exclusive or peculiar rights or privileges whatever, or for doing any matter or thing which in its operation would affect the rights or property of other parties, or relate to any particular class of the community; or for making any amendment of a like nature to any former Act,—shall require a Notice, clearly and distinctly specifying the nature and object of the application, to be published as follows:—

A notice inserted in the BRITISH COLUMBIA GAZETTE, and in one newspaper published in the District affected, or if there be no newspaper published therein, then in a newspaper in the next nearest District in which a newspaper is published.

Such notice shall be continued in each case for a period of at least six weeks, during the interval of time between the close of the next preceding Session and the consideration of the Petition.

Before any Petition, praying for leave to bring in a Private Bill for the erection of a Toll Bridge is presented to the House, the person or persons intending to petition for such Bill shall, upon giving the notice prescribed by the preceding rule, also at the same time and in the same manner, give notice of the rates which they intend to ask, the extent of the privilege, the height of the arches, the interval between the abutments or piers for the passage of rafts and vessels, and mentioning also whether they intend to erect drawbridge or not, and the dimensions of the same.

J. ROLAND HETT,

*Clerk of the Legislative Assembly.*

5th March, 1874.

**IN THE LEGISLATIVE ASSEMBLY.**

SESSION, 1874-5.

**CITY OF VICTORIA WATER-WORKS.**

NOTICE IS HEREBY GIVEN, that it is intended to make application to the Legislative Assembly, during the next ensuing Session, for leave to bring in a Bill to amend the "Corporation of Victoria Water-works Act, 1873," so as to enable the Corporation of the City of Victoria to issue Debentures to the extent of \$50,000 in addition to those already issued under the provisions of the said Act, for the purpose of completing the Water-works of the said City of Victoria.

WM. LEIGH,

*Clerk to the Corporation.***NOTICE.**

NOTICE IS HEREBY GIVEN, that application will be made at the next Session of the Legislative Assembly of the Province of British Columbia, by the WILLIAMS CREEK BED-ROCK FLUME AND DITCH COMPANY (Limited), for an Act to renew in favor of the said Company, for a further period of ten years from the 29th day of March, 1876, all and singular the rights, privileges, and benefits conferred upon them by the "Williams Creek Flume Ordinance, 1866."

Dated, October 2nd, 1874.

**MAPLE RIDGE MUNICIPALITY.**

MINUTES of the statutory meeting of the first Municipal Council of the Township of Maple Ridge, held at the residence of John McIver, Esq., at 1 p.m., on Saturday, October 10th, 1874, present a full Board, viz:—G. Howison, W. Harris, J. Bell, J. McKenney, H. Dawson, T. Henderson, and J. Hammond.

Councillor Wellington Harris was unanimously elected Warden of the Corporation of the Township of Maple Ridge, and J. Thorne was appointed Clerk. The next meeting of the Council is appointed at the residence of G. Howison, Esq., Maple Ridge, on the first Saturday in November, 1874.

J. THORNE,

*Clerk of the Council.***IN THE LEGISLATIVE ASSEMBLY.**

SESSION, 1874-5.

**BRITISH COLUMBIA PROTESTANT ORPHANS' HOME.**

NOTICE IS HEREBY GIVEN, that application will be made at the next Session of the Legislative Assembly, for an Act to Incorporate the British Columbia Protestant Orphans' Home Association; an Association having for its object the care, maintenance, and education of Orphans and destitute children in British Columbia.

Dated at Victoria, the 6th day of July, 1874.

**NOTICE**

*In the matter of the Estate and Effects of JAMES C. HOAGLAND, deceased, intestate.*

**A**LL persons who are indebted to the above Estate are required to pay the amounts due forthwith; and all persons who have any claims against the said Estate are required to send in their accounts, duly proved, on or before the 8th day of November, 1874, to

CHAS. E. POOLEY,  
Official Administrator.

*Dated, Victoria, 8th day of August, 1874.*

**NOTICE.**

*In the matter of the Estate and Effects of ALLEN D. GRANT, deceased, intestate.*

**A**LL persons who are indebted to the above Estate are required to pay the amounts due forthwith; and all persons who have any claims against the said Estate are required to send in their accounts, duly proved, on or before the 9th day of January, 1875, to

CHAS. E. POOLEY,  
Official Administrator.

*Dated, Victoria, 9th October, 1874.*

**NOTICE.**

*In the matter of the Estate and Effects of JOHN S. TROOK, deceased, intestate.*

**A**LL persons who are indebted to the above Estate are required to pay the amounts due forthwith; and all persons who have any claims against the said Estate are required to send in their accounts, duly proved, on or before the 9th day of January, 1875, to

CHAS. E. POOLEY,  
Official Administrator.

*Dated, Victoria, 9th October, 1874.*

**Gold Commissioner's Notice.**

**A**LL Mining Claims legally held in Cassiar District, British Columbia, will be laid over from the 1st October, 1874, till the 1st June, 1875, subject however to clause 9 of the "Gold Mining Amendment Act, 1872."

J. H. SULLIVAN,  
Gold Commissioner.

*Lake Town, Cassiar, 29th August, 1874.*

**BANKRUPTCY NOTICE.**

**W**HEREAS the Court authorized to act in the prosecution of a Petition for adjudication of Bankruptcy, filed on the 7th day of August, A. D. 1874, against WILLIAM FORREST, of the Meadows, Williams Creek, Trader, has, on application of the said Bankrupt, appointed a public sitting under such Petition, to be held before the Supreme Court of British Columbia, sitting in Bankruptcy, at the next General Assize, to be holden at the Court House, Richfield, for the allowance of the Certificate of the said Bankrupt's conformity to the Laws now in force concerning Bankrupts, according to the form, and subject to the provisions of the Statute passed in the Parliament holden in the 12th and 13th years of the Reign of Her present Majesty, intituled the "Bankrupt Law Consolidation Act, 1849." This is to give notice, that such Court will sit at the time and place above mentioned, for the purpose aforesaid, when and where any of the Creditors of the said Bankrupt who shall have given due notice of their intention to oppose, may be heard against the allowance of such Certificate; and the same will be allowed, unless cause be then and there shown to the contrary, or such order will be made therein as the justice of the case may require.

ALEX. E. B. DAVIE,  
Counsel acting in the matter of the Bankruptcy.  
Richfield, 15th August, 1874.

**BANKRUPTCY NOTICE.**

*Re WILLIAM FORREST, a Bankrupt.*

**T**O all whom it may concern:—TAKE NOTICE that the public sitting in the matter of the above Bankruptcy, advertised to be held before the Supreme Court at the next General Assize at Richfield, for the allowance of the Certificate of the Bankrupt, will not be held at Richfield, but will be held before the Supreme Court at the next General Assize at YALE, on the 16th day of October, A. D. 1874, in accordance with the order of the Judge of the County Court of British Columbia, holden at Richfield.

*Dated, the 17th day of September, A. D. 1874.*

ALEX. E. B. DAVIE,  
Counsel in the matter of this Bankrupt.

**NOTICE.**

**I**N accordance with the "Mineral Ordinance, 1869," and the "Mineral Ordinance Amendment Act, 1873," the Victoria Silver Mining Company (Limited) will apply for a Crown Grant of the amount of Land they are entitled to by ownership of Prospecting License No. (6) Six, issued in Yale District.

R. P. RITHET, Secretary.

*Yale, July 14th, 1874.*

Printed every Saturday, by RICHARD WOLFENDEN, Government Printer, at the Government Printing Office, James' Bay, Victoria.